

Filed for intro on 05/22/95
House Bill _____
By _____

Senate No. SB1930
By Wilder

AN ACT to amend Chapter 77 of the Private Acts of 1991, and all other acts amendatory thereto, relative to the board of mayor and aldermen of the City of Moscow.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 77 of the Private Acts of 1991, and all other acts amendatory thereto, is amended by deleting Section 5 in its entirety and substituting instead the following:

Section 5. On the first Tuesday after the first Monday in November of each even-numbered year, a nonpartisan, at-large, general municipal election shall be conducted by the county election commission. Any elector who has been a resident of the city for at least two (2) years may be qualified as a candidate by a nomination petition submitted to the county commissioners of elections, signed by at least fifteen (15) electors. If an elector signs more than one (1) petition for mayor or more petitions than the number of aldermen to be elected, his signature shall be valid only on the petitions first filed equal to the number to be elected.

At the election to be held in 1996, a mayor and the three (3) candidates for aldermen receiving the highest number of votes shall be elected for four (4) year terms, and the three (3) candidates for aldermen receiving the next highest number of votes

shall be elected for two (2) year terms. At elections thereafter, aldermen shall be elected for four (4) year terms to the end that aldermen shall serve staggered, four (4) year terms.

In all elections for mayor or for alderman, pluralities shall determine the candidates elected. In cases of a tie vote for mayor or alderman, the incumbent board of mayor and aldermen shall determine the winner.

The term of office for the mayor and for the aldermen shall begin at 7:30 P.M. on the date of the regular board meeting next following their election, and they shall serve until their successors have been elected and qualified.

SECTION 2. Chapter 77 of the Private Acts of 1991, is further amended by deleting Section 9 in its entirety and substituting instead the following:

Section 9. The board, at the first regular meeting after the newly elected aldermen have taken office following each election, shall elect from its membership a vice-mayor for a term of two (2) years. The vice-mayor shall perform the duties of the mayor during his temporary absence or inability to act. In case of a vacancy in the office of mayor, the vice-mayor shall fill out the unexpired term, or until the next regular city election, whichever shall occur first. If the vice-mayor is filling out a term in the office of mayor, his position as an alderman shall become vacant and the board shall fill the vacancy as provided in Section 10. The board shall select another of their number to fill out the unexpired term of the vice-mayor.

SECTION 3. Chapter 77 of the Private Acts of 1991, is further amended by deleting the third paragraph in Section 10 and substituting instead the following:

The remaining aldermen shall appoint a qualified person to fill a vacancy in the office of alderman for the unexpired term, or until the next regular city election, whichever shall occur first. If the vacancy is not so filled within forty-five (45) days, the mayor shall appoint a qualified person to fill the vacancy.

SECTION 4. Chapter 77 of the Private Acts of 1991, is further amended by deleting the first sentence in Section 24 and substituting instead the following:

No employee of the city shall continue in the employment of the city after becoming a candidate for election to the Moscow Board of Mayor and Aldermen, but this provision shall not apply to the mayor, aldermen, members of boards or commissions, the city attorney, or the city judge.

SECTION 5. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the governing body of the City of Moscow. Its approval or nonapproval shall be proclaimed by the presiding officer of the City of Moscow and certified to the secretary of state.

SECTION 6. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 5.

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